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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,874	03/26/2001	Chad D. Quist	DON01 P-889	7627

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EXAMINER

LAO, LUN YI

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 08/27/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/817,874

Applicant(s)

QUIST ET AL.

Examiner

Lun-Yi Lao

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-64 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Drawings

1. The drawings are objected to because it is required that legends be provided for all symbolically illustrated structure in the drawings; see 37 CFR 1.84(g). The following element must be labeled: figure 5-12, 14, 26, 28, 30; figure 6-26, 28, 30 and figure 9-42, 44, 48. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "said reflector being at least partially removed to from a window" as cited in claims 26, 50 and 52 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claim 47 is objected to because of the following informalities: "scolling" should be changed to – scrolling –.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 26, 50 and 52 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The specification fail to disclose the limitation of "said reflector being at lest partially removed to from a window" as cited in claims 26, 50 and 52.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 3, 4-6, 8, 19, 20, 53, 55, 58 and 59 are rejected under 35 U.S.C. 102(b) as being anticipated by Ul Azam et al(5,566,224).

As to claims 1, 3, 4-6, 8, 19, 20, 53, 55, 58 and 59, UI Azam et al teach an interactive a vehicular mirror system comprising an interior rearview mirror assembly having a mirror casing and a reflective element with a rearward field of view (see figure 2; column 3, lines 60-67 and column 4, lines 54-57); a display(108)(see figures 1-2; column 3, lines 33-36); and a user actuable selector element associated with a function and located at the reflective element(see figure 2; column 4, lines 61-68; column 5, lines 1-9 and lines 51-61; and column 9, lines 33-35).

As to claim 3, UI Azam et al teach the reflective element is electrochromic mirror(see figure 1; column 3, lines 39-45)

As to claims 4-6, 8, 19 and 59, UI Azam et al tech the selector element is provided on au outer surface, a lower portion or perimeter portion of the reflecting element(209)(see figure 2; column 4, lines 62-68; column 5, lines 1-9 and lines 51-61 and column 9, lines 33-35).

As to claim 20, UI Azam et al teach a reflector(109, or 209, electrochromic mirror) is semi-transparent reflector and a display(108 or 208) located behind the reflector(109 or 209)(see figure 1-2 and column 3, lines 39-45).

As to claim 55, UI Azam et al teach a mirror system comprising a rearward field of view image(see figure 2 and column 4, lines 54-57).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2, 7, 21, 54 and 56-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over UI Azam et al(5,566,224) and DeLine et al(6,124,886).

As to claims 2, 7, 21, 54 and 56-57, UI Azam et al teaches the reflecting element(109) is an eletrochromic reflecting element(see figure 1 and column 3, lines 39-45). UI Azam et al fail to disclose the reflecting element having a prismatic reflecting element.

DeLine et al teaches the reflecting element(14) is a prismatic reflecting element(see figure 1 and column 8, lines 15-17). It would have been obvious to have modified UI Azam et al with the teaching of DeLine, since DeLine et al has disclosed the reflecting element could be a prismatic reflecting element or an electrochromic reflecting element(see DeLine's column 33, lines 15-26) and a prismatic reflecting element would be more common and economic than the electrochromic reflecting element.

As to claim 7, DeLine et al teach a display element associated with more than one function(telephone or temperature or clock, etc.)(see figure 47; column 29, lines 11-27 and column 31, lines 13-22).

As to claim 21, DeLine et al teach a reflector(see figures 30, 31) having a metal coating(294) and a transparent conductor(ITO)(see figures 30-31; column 18, lines 10-30 and column 21, lines 24-27).

As to claim 54, DeLine et al teach display image is selected from the group a telephone conference image(video telephone); a highway status information image; a blind spot information image; a hazard warning information image; a vehicle status information image; a page messaging information image; a speedometer information image; a tachometer information image; a remote transaction information image; an audio system information image; a fuel gauge information image; a heater control information image; a ventilation system information image; a status of inflation of tires information image; a trailer tow image; an e-mail message information image; a compass information image; an engine coolant temperature information image; an oil pressure information image; a cellular phone operation information image; a global positioning system information image; a weather information image ; a temperature information image; a traffic information image; a telephone number information image; fuel status information image; battery condition information image; time information image and stock information image(see figure 47; column 27, lines 59-68; column 28-34 and column 35, lines 1-52).

As to claim 56, DeLine et al teach an image capturing device(CCD)(see figure 47 and column 30, lines 5-19).

As to claim 57, DeLine et al teach an image capturing device could be mounted on a sideview mirror(see figure 47; column 32, lines 47-68 and column 33, lines 1-6).

10. Claims 9-14, 22-25, 27 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over UI Azam et al(5,566,224) in view of Ide et al(4,707,570).

As to claims 9-14, 22-25, 27 and 60, UI Azam et al fail to point out the structure of the touch sensitive element.

Ide et al teach a transparent touch sensitive pad comprising a plurality of stacked transparent conductive coating(indium tin oxide(ITO), 22A, 24A))(see figures 1-6); column 3, lines 23-32; column 5, lines 5-24 and column 6, lines 5-29). It would have been obvious to have modified UI Azam et al with the teaching of Ide et al, since UI Azam et al has disclosed a system having an LCD display and a sensing function(see figures 1-2; column 3, lines 28-32; column 5, lines 3-9 and lines 51-61; and column 9, lines 33-35); Ide et al have disclosed a touch sensitive pad placed over an LCD display to perform a touch sensing function and a user could more clear how the system sensing a touch point.

As to claims 23-25, UI Azam et al teach an LCD display(108) or LED display(108) and the display(108) located behind the reflecting element(109)(see figure 1, and column 3, lines 29-45).

11. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over UI Azam et al(5,566,224) in view of Ide et al(4,707,570) and Larson et al(5,416,313),

UI Azam et al as modified fail to point out the reflector being removed to formed a window.

Lason et al teach a rearview mirror system comprising a reflector(28) which has been partially removed from the mirror system(10)(see figures 1-2 and column 3, lines 59-62). It would have been obvious to have modified UI Azam et al as modified with the teaching of Larson et al, so a display information can be presented on a mirror surface(see Lason's figure 2; column 3, lines 62-68 and column 4, lines 1-15).

12. Claims 7, 15-18, 28-34, 41-48, 51 and 61-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over UI Azam et al(5,566,224) in view of Goodwin et al(5,708,804).

As to Claims 7, 15-18, 28-34, 41-48, 51 and 61-64, UI Azam et al fail to disclose a display for presenting an image(icon) to indicate a function of a touch sensitive element.

Goodwin et al teach a display system comprising an image(icon 26, 28) to indicate a function of a touch sensitive element(see figures 3-4 and column 3, lines 51-65). It would have been obvious to have modified UI Azam et al with the teaching of Goodwin et al, so as to provide a quick way of conveying information to a user.

As to claims 17 and 18, UI Azam et al teach an LCD display(108) which could be a transparent state or reflecting state or LED display(108)(see figure 1, and column 3, lines 29-31).

As to claims 45-47, UI Azam et al teach a mirror system comprising a rearward field of view image(see figure 2 and column 4, lines 54-57); a telephone information display and scrolling images(see figure 2 and column 5 and 3-9).

As to claim 51, UI Azam et al teach the reflective element is electrochromic reflecting element(109)(see figure 1; column 3, lines 39-45)

13. Claims 35-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over UI Azam et al(5,566,224) in view of Goodwin et al(5,708,804) and of Ide et al(4,707,570).

As to claims 35-40, UI Azam et al as modified fail to point out the structure of the touch sensitive element. See the discussion of Ide et al on paragraph # 10 above.

14. Claims 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over UI Azam et al(5,566,224) in view of Goodwin et al(5,708,804) and Washizuka et al(4,202,607).

As to claim 49, UI Azam et al as modified fail to disclose the reflecting element having a prismatic reflecting element.

Washizuka et al teach a prismatic reflecting element(32, 40)(see figure 2 and column 3, lines 4-7). It would have been obvious to have modified UI Azam et al as with the teaching of Washizuka et al, since a prismatic reflecting element would be more common and economic than the electrochromic reflecting element.

As to claim 50, Washizuka et al teach the reflector(40) being partially removed to form a window for a display(LCD display)(see figures 1-2; column 2, lines 57-68 and column 3, lines 1-10).

15. Claim 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over UI Azam et al(5,566,224) in view of Goodwin et al(5,708,804) al(4,707,570) and Larson et al(5,416,313),

Ul Azam et al as modified fail to point out the reflector being removed to form a window.

See the discussion of Larson et al on paragraph # 11 above.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Haferbeck et al(6,314,302) teaches a telephone conference system.

McCarthy et al(6,477,464) teach a rearview mirror navigation system.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lun-yi, Lao whose telephone number is (703) 305-4873.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala, can be reached at (703) 305-4938.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or

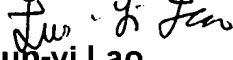
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proceeding should be directed to the Technology Center 2600 Customer Service Office
whose telephone number is (703) 306-0377.

August 24, 2003


Lun-yi Lao
Primary Examiner